

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11842-PBS

SCOTT RODGERS,)
Plaintiff)
v.)
)
CORRECTION OFFICER ORCUTT,)
UNKNOWN CORRECTION)
OFFICER JOHN DOE, JOE)
WHITMORE AND JOHN SMITH,)
Defendants)
)

**DEFENDANTS ORCUTT, WHITTEMORE AND SMITH'S REQUEST FOR LEAVE
TO DEPOSE A PERSON CONFINED IN PRISON**

Defendants Judith Orcutt, Joseph Whittemore and John Smith hereby respectfully move the Court, pursuant to Rule 30(a)(2) Fed.R.Civ.P. for leave to depose Plaintiff Scott Rodgers, who is a person confined in prison. As grounds for this motion, these Defendants state that the deposition of the Plaintiff is needed to prepare their defense to the Plaintiff's allegations.

WHEREFORE, the Defendants request leave to depose Plaintiff Scott Rodgers.

The Defendants,
JUDITH ORCUTT, UNKNOWN CORRECTION
OFFICER JOHN DOE, JOSEPH WHITTEMORE,
and JOHN SMITH
By their attorneys,

/s/ William P. Breen, Jr.
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Dated: December 23, 2005